

6525. Misbranding of P. P. P. Prickly Ash Poke Root Potassium and Stillingia. U. S. * * * v. 5 Cases of * * * P. P. P. Prickly Ash Poke Root Potassium and Stillingia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8864. I. S. No. 4209-p. S. No. E-992.)

On March 16, 1918, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases, each containing 12 packages of P. P. P. Prickly Ash Poke Root Potassium and Stillingia, remaining unsold in the original, unbroken packages at Columbia, S. C., alleging that the article had been shipped on or about March 2, 1918, by F. V. Lippman, Savannah, Ga., and transported from the State of Georgia into the State of South Carolina, charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part:

(On carton) "P. P. P. * * * Valuable Remedy for Syphilis and Scrofulas and is recommended for Rheumatism, Gout, Old Sores, Glandular Enlargements, and all conditions arising from Blood Poison."

(On bottle) "P. P. P., * * * The Great Blood Purifier."

(On circular) "Liver Complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor, and General Derangement of the System * * *

"For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache * * *

"For St. Anthony's Fire, Rose or Erysipelas, Tetters, Pimples, Salt Rheum, Scald Head * * *

"After Diphtheria, Scarlet Fever, Typhoid Fever and Pneumonia, * * *

"Nervousness, nervous headaches, and nervous dyspepsia * * *

"Eczema, Herpes, Psoriasis, Ringworm, Camp Itch. / * * * Distress after Eating, Pains in the Back, Headache * * *.

"Enlargement, Ulceration and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy and Dropsical Swellings * * *

"Syphilis and Scrofula * * *

"For Tumors, Ulcers and Sores * * *

"For Skin Diseases, Eruptions, Pustules, * * * Boils * * *

"* * * all diseases of the blood, bones and tissues, the kidneys and bladder, the bowels, stomach and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat and nasal cavities, and in all cases of animal or vegetable blood poisoning * * *

"Necrosis of the Bone, * * * Ulcerated or swollen glands, abscesses * * * carbuncles * * * hip disease, white swelling, King's evil, sore eyes of scrofulous origin, kidney and liver disease * * *"

It was alleged in the libel that the article was misbranded for the reason that the words and figures so declared, marked, printed, branded, and labeled on the cartons, packages, bottles, and circular as aforesaid were misleading, false, and fraudulent, and that the article was misbranded regarding the curative

and therapeutic effects of said article within the meaning of the act of Congress approved on the 30th day of June, 1906, as amended by the act of Congress approved on the 23d of August, 1912, and the same were made by the said F. V. Lippman knowingly and in wanton and reckless disregard of the truth or falsity of the said statements and claims and with intent to deceive the purchaser of the product.

On August 17, 1918, no claimant having appeared for the property, and testimony having been submitted to a jury and a verdict rendered for the Government, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*